

REMARKS**INTRODUCTION:**

In accordance with the foregoing, claims 10 and 18 have been canceled without prejudice or disclaimer, and claims 9 and 17 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-2, 4-5, 7-9, 11-13, 15-17, and 19-21 are pending and under consideration. Reconsideration is respectfully requested.

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116:

Applicant requests entry of this Rule 116 Response and Request for Reconsideration because:

(a) at least certain of the rejected claims have been canceled thereby at least reducing the issues for appeal;

(b) it is believed that the amendments of claims 9 and 17 put this application into condition for allowance;

(c) the amendments were not earlier presented because the Applicant believed in good faith that the cited prior art did not disclose the present invention as previously claimed;

(d) the amendments of claims 9 and 17 should not entail any further search by the Examiner since no new issues are being raised; and/or

(e) the amendments place the application at least into a better form for appeal.

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTION UNDER 35 U.S.C. §103:

In the Office Action, at pages 2-5, numbered paragraph 2, claims 1-2,4-5, 7-13, and 15-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ishibe (USPN 6,489,982;hereafter, Ishibe) in view of Mclaughlin et al. (USPN 4,758,071; hereafter, Mclaughlin) and Narisawa (USPN 6,067,182; hereafter, Narisawa). The reasons for the rejection are set

forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Independent claim 9 has been amended to include the features of claim 10; claim 10 has been canceled without prejudice or disclaimer.

Independent claim 17 has been amended to include the features of claim 18; claim 18 has been canceled without prejudice or disclaimer.

It is respectfully submitted that Ishibe does not have a collimating lens with the characteristics listed by the Examiner. In particular, the Examiner's computation of $R2_{col}/R1_{col} = 182.212/(-20.831) = -0.114$ is in error. The result of this computation should equal -8.75, which is clearly different from $-0.3 < \frac{R2}{R1} < -0.1$ of the present invention.

In addition, in the formula $0.05 < \frac{d}{f} < 0.5$, d denotes a center thickness of the collimating lens, not the cylindrical lens. The Examiner has inadvertently shown d to be 6.0, but d is actually 3.0. The computation of $d/f = 3.0/24.636 = 0.12$.

Hence, clearly the collimating lens of Ishibe does not have the characteristics of the collimating lens of the present invention.

Mclaughlin teaches utilizing spherical surfaces of a glass plate having radii of curvatures of $R1 = 7.9$ mm and $R2 = -249.8$ (see Mclaughlin, col. 5, lines 18-23), so that $R2_{col}/R1_{col} = 31.6$.

Narisawa fails to teach or suggest the collimating lens being one sheet of a spherical surface lens satisfying the relationship:

$$-0.3 < \frac{R2}{R1} < -0.1$$

$$0.05 < \frac{d}{f} < 0.5$$

in which, $R1$ denotes a curvature radius of a first surface of the collimating lens opposing the light source and having a first positive constant refractive index, $R2$ denotes a curvature radius of a second surface of the collimating lens opposing the slit and having a second positive constant refractive index, d denotes a center thickness of the collimating lens, and f denotes a focal length from the collimating lens to the light source, wherein the collimating lens is glass, and wherein a magnification ratio in a main scanning direction and a magnification in a sub scanning direction are substantially the same, as is recited in claim 1, and similarly in independent claims 5, 9, 13 and 17 of the present invention.

Thus, neither Ishibe, Mclaughlin nor Narisawa teaches or suggests the collimating lens being one sheet of a spherical surface lens satisfying the relationship:

$$-0.3 < \frac{R2}{R1} < -0.1$$

$$0.05 < \frac{d}{f} < 0.5$$

in which, $R1$ denotes a curvature radius of a first surface of the collimating lens opposing the light source and having a first positive constant refractive index, $R2$ denotes a curvature radius of a second surface of the collimating lens opposing the slit and having a second positive constant refractive index, d denotes a center thickness of the collimating lens, and f denotes a focal length from the collimating lens to the light source, wherein the collimating lens is glass, wherein a magnification ratio in a main scanning direction and a magnification in a sub scanning direction are substantially the same, and wherein the slit limits a size of a beam section of the beams passing through the collimating lens, as is recited in amended claim 1, and similarly in independent claims 5, 9, 13 and 17 of the present invention.

Also, as previously noted, the Examiner admits that Ishibe is silent regarding the collimator lens being made of one sheet of a spherical surface lens, the collimator lens being made of glass, and the first and second surfaces of the collimator lens having a first and a second positive constant refractive index, respectively.

Hence, it is respectfully submitted that independent claims 1, 5, 9, 13 and 17 of the present invention are patentable under 35 U.S.C. §103(a) over Ishibe (USPN 6,489,982) in view of Mclaughlin et al. (USPN 4,758,071) and Narisawa (USPN 6,067,18), alone or in combination. Since claims 2, 4, 7-8, 11-12, 15-16, and 19-21 depend from independent claims 1, 5, 9, 13, and 17, respectively, claims 2, 4, 7-8, 11-12, 15-16, and 19-21 are patentable under 35 U.S.C. §103(a) over Ishibe (USPN 6,489,982) in view of Mclaughlin et al. (USPN 4,758,071) and Narisawa (USPN 6,067,18), alone or in combination, for at least the reasons amended independent claims 1, 5, 9, 13 and 17 are patentable under 35 U.S.C. §103(a) over Ishibe (USPN 6,489,982) in view of Mclaughlin et al. (USPN 4,758,071) and Narisawa (USPN 6,067,18), alone or in combination.

EXAMINER'S RESPONSE TO ARGUMENTS:

On pages 5-8, numbered paragraph 3, the Examiner submitted arguments with respect to Applicant's arguments filed December 4, 2006.

In view of the above amendments and arguments, the Examiner's concerns are respectfully submitted to be overcome.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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